CWP No. 1747 of 1983

Smt. Parkash Lata Goel vs. **The I.T.O. Faridabad and another**

Present: Mr.Avneesh Jhingan, Advocate,
for the petitioner.

Dr. N.L.Sharda, Advocate,
for the revenue.

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This petition was filed by the petitioner challenging the assessment order dated March 2nd, 1983 for the Assessment Year 1980-81 without availing of the remedy as is available under the Income Tax Act, 1961. In the written statement, it is stated, in the preliminary objections, that the petitioner had in fact filed an appeal before the Appellate Assistant Commissioner of Income-Tax, Bathinda against the order of assessment. There is no denial by the petitioner to this averment in the written statement. The petitioner cannot be permitted to avail two remedies at the same time.

Mr. Avneesh Jhingan, Advocate, who appeared on behalf of the petitioner states that he had tried to contact the petitioner to get the latest position, but no one responded, hence, he pleads no instructions.

Accordingly, this petition is dismissed for non-prosecution.

August 23, 2006 (RAJESH BINDAL)
pj JUDGE